

8995. Misbranding of Nyal's Prescription "23" and Nyal Prescription "23" Pills. U. S. * * * v. 7½ Dozen Bottles of * * * Nyal's Prescription "23" and 1 Box of Nyal Prescription "23" Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10677. I. S. No. 15830-r. S. No. E-1583.)

On June 28, 1919, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7½ dozen bottles, labeled in part "Nyal's Prescription '23' * * * For External Use * * *," and 1 box, labeled in part "Nyal Prescription '23' Pills * * *," remaining unsold in the original unbroken packages at Fairmont, W. Va., alleging that the articles had been shipped on or about October 12, 1918, by the Nyal Co., Detroit, Mich., and transported from the State of Michigan into the State of West Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Prescription "23" (liquid) consisted essentially of zinc sulphate, boric acid, hydrastis, glycerin, and water, and that the pills consisted essentially of ferrous sulphate, copaiba balsam, oleoresin of cubebs, and alkaloidal material.

It was alleged in substance in the libel that the articles were misbranded for the reason that said bottles and containers and the circulars accompanying them contained the following statements, regarding the curative and therapeutic effect of said articles and of the ingredients and substances contained therein, (carton) "Prescription '23' * * * For G and G," (bottle and box) "Prescription '23'," (circular) "The Nyal Prescription '23' for Gonorrhea and Gleet * * *," which said statements were false and fraudulent in that the articles contained no substance and no ingredient and no combination of ingredients capable of producing the curative and therapeutic effects claimed.

On October 1, 1920, no claimant having appeared for the property, an order was entered by the court finding the product misbranded and directing that the same be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8996. Misbranding of B-I-F Capsules. U. S. * * * v. 9 Boxes of B-I-F Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10752. I. S. No. 15793-r. S. No. E-1578.)

On June 23, 1919, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 boxes of drugs, labeled in part "B-I-F Capsules * * * The Henry S. Wampole Co. * * * Baltimore, Md.," remaining unsold in the original unbroken packages at Clarksburg, W. Va., alleging that the article had been shipped during the month of April, 1919, by The Henry S. Wampole Co., Baltimore, Md., and transported from the State of Maryland into the State of West Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted essentially of balsam of copaiba, cubebs, alum, and magnesia.

It was alleged in substance in the libel that the article was misbranded for the reason that the packages, boxes, and cartons containing the same and the wrappers and booklets contained therein, contained the following statements regarding the curative and therapeutic effect of the said article and of the ingredients and substances contained therein, (carton) "B-I-F Capsules * * * valuable remedy for Clap, Gonorrhea, Gleet or any discharge from the urinary organs Generally relieves clap in a few days * * * Has a Tendency to Prevent Strictures * * * B-I-F Capsules It aids in eliminating the pus-like discharges Never Known to Produce